

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CITIZENS BANK,)	CASE NO. 1:08 CV 2174
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
CINEMA PARK L.L.C., <i>et al.</i> ,)	
)	
Defendants.)	<u>REPORT AND RECOMMENDATION</u>

In this real property foreclosure action, the plaintiff and all defendants who have filed answers have consented to magistrate judge's jurisdiction.¹

Defendant Cinema Park L.L.C. has defaulted on a crossclaim filed by defendant Graves Lumber Co. A notice of default has now issued.² Graves Lumber has filed a motion for default judgment.³ The affidavit of Graves Lumber's Vice President, Walt Minick, sets forth the sum certain by computation owed by Cinema Park to Graves Lumber.⁴

On consideration whereof, I hereby recommend that the pending motion for default judgment be granted and that the Court enter judgment on Graves Lumber's motion in the form set forth in the proposed judgment entry attached to Graves Lumber's motion.⁵

¹ ECF #s 87, 146, 147, 148, 149, 150.

² ECF # 206.

³ ECF # 207.

⁴ ECF # 207, Exhibit A.

⁵ ECF # 207-2.

With the entry of this judgment, the Magistrate Judge will exercise consent jurisdiction over the remaining claims and parties.

Dated: April 28, 2010

s/ William H. Baughman, Jr.
United States Magistrate Judge

Objections

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court's order.⁶

⁶ See, *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also, *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).